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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Elizabeth Colbert et al.

Application No.: 10/823,428

Filing Date: April 13, 2004

Title: COATING FOR WALL
CONSTRUCTION

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) Group Art Unit: 3637
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) Examiner: MATTHEW J. SMITH
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) Confirmation No.: 4019
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THIRD
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a THIRD Information Disclosure Statement (IDS) and accompanying form PTO-1449 for the above-identified patent application.

- ☐ No additional fee for submission of an IDS is required.
- ☒ The fee of \$ 180 as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$ 180 as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☒ Charge \$ 180 to credit card for the fee due. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date 8-6-07

By:

William C. Rowland
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Registration No. 30888

P.O. Box 1404
Alexandria, VA 22313-1404
703 836 6620



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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The documents are being submitted after a first Office Action on the merits but prior to the closing of prosecution, therefore under 37 C.F.R. § 1.97(c), the fee of \$180 as set forth in 37 C.F.R. § 1.17(p) is enclosed.

The Examiner's attention is directed to copending application number 10/625,624, (Pub. No. 2004/0154264) naming Elizabeth Colbert as inventor(s) and filed on July 24, 2003, to copending application number 10/885,078, (Pub. No. 2004/0237436) naming Francois Zuber et al. as inventor(s) and filed on July 7, 2004, to copending application number 10/857,504, (Pub. No. 2004/0216424) naming Francois Zuber et al. as inventor(s) and filed on June 1, 2004, to copending application number 10/534,231, (Pub. No. 2006/0048684) naming Christian Bonetto et al. as inventor(s) and filed on May 6, 2005, to copending application number 10/824,193, (Pub. No. 2005/0229519) naming Elizabeth Colbert et al. as inventor(s) and filed on April 14, 2004, to copending application number 10/824,336, (Pub. No. 2005/0234174) naming Elizabeth Colbert et al. as inventor(s) and filed on April 14, 2004, and the documents cited therein. According to the Private Patent Application Information Retrieval System (PAIRS), all of these applications are available in electronic format; therefore, copies of the copending application are not required.

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180.00 DP


Buchanan Ingersoll & Rooney PC
Attorneys & Government Relations Professionals

To assist the Examiner, the document are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: 8-6-07

By: 
William C. Rowland
Registration No. 30888

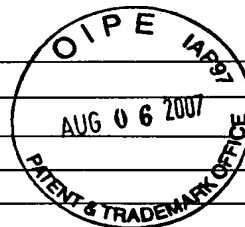
P.O. Box 1404
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THIRD INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Application Number	10/823,428
Filing Date	April 13, 2004
First Named Inventor	Elizabeth Colbert et al.
Examiner Name	MATTHEW J. SMITH
Attorney Docket No.	1034296-000609



U.S. PATENT DOCUMENTS

Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
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Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	STATUS						
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	00/06518		WIPO	02-10-2000							
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	99/57371		WIPO	11-11-1999							

Examiner Signature	Date Considered
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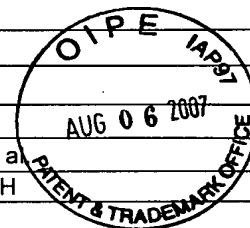
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

THIRD INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

Application Number	10/823,428
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Examiner Name	MATTHEW J. SMITH
Attorney Docket No.	1034296-000609



FOREIGN PATENT DOCUMENTS

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NON-PATENT LITERATURE DOCUMENTS

Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	DAN EKLUND, "The Influence of Binders and Pigments upon the K&N Ink Absorption of Coated Papers", No. 9, 1973 Papper och Trä.
	Chemical Abstracts, Vol. 103, No. 8, 26 August 1985, Abstract No. 58270z, pp. 278; XP 000185205; Abstract of JP 60 065197.
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	Decision, June 14, 2005, Appeal No. T 1032/03-3.2.3, and translation thereof.
	Copy of New Zealand Opposition Paper in Patent No. 527112 dated 12-18-2006.
	Machine Translation DE 4324315 A (1994).
	Copy of the International Preliminary Examination Report issue in a corresponding PCT application.

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.